

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
Ellen Lipton Hollander
District Court Judge

101 West Lombard Street
Baltimore, Maryland 21201
410-962-0742

August 22, 2023

LETTER TO COUNSEL

Re: *United States of America v. Jacky McComber*
Criminal No.: ELH-21-0036

Dear Counsel:

This letter will confirm and amplify our discussions during the telephone conference held on August 21, 2023, in response to ECF 344. *See also* ECF 352; ECF 353; ECF 354; ECF 355. At the request of the defendant, I have postponed certain dates relevant to the sentencing. The following schedule shall govern.

1. Defense counsel shall disclose the names of defendant's sentencing witnesses by **October 2, 2023**.
2. If the government intends to alter its witness list for sentencing, it must provide the defendant with the names of any new witnesses by **October 13, 2023**.
3. Counsel are directed to meet and confer by October 6, 2023, with the goal of submitting, to the extent feasible, a joint statement of facts, due by **October 13, 2023**. As to any factual disputes, counsel shall address them in their revised sentencing memoranda. *See ¶ 5, infra*.
4. If the defense wishes to submit a memorandum concerning the MJOA, the memorandum is due by the close of business on **September 22, 2023**, limited to the grounds advanced at trial. The government's response is due by **October 6, 2023**. A reply, if any, is due by **October 20, 2023**.
5. The government's revised sentencing memorandum is due by **October 13, 2023**. The defendant's revised sentencing memorandum is due by **October 27, 2023**. The government's reply, if any, is due by **November 13, 2023**.
6. Witness testimony will be heard beginning at **10:00 a.m. on November 16, 2023, November 17, 2023, November 20, 2023, and November 21, 2023**. However,

because of the Court's scheduling conflict on November 17, 2023, the hearing must conclude by 1:00 p.m.

7. By the close of business on **December 1, 2023**, the parties may file simultaneous submissions to address the evidence presented at the hearings in November 2023. Simultaneous replies, if any, are due by the close of business on **December 8, 2023**.
8. Sentencing will be held on **December 18, 2023, at 10:00 a.m.**

Despite the informal nature of this letter, it is an Order of the Court and shall be docketed as such.

Sincerely,

/s/

Ellen L. Hollander
United States District Judge

ELH/kw